

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:)	BK04-43949
)	A05-4016
PLAINS PRODUCE, L.L.C.,)	
)	CHAPTER 11
Debtor.)	
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GREENTEX GREENHOUSES, BV,)	4:04CV3390
a Dutch corporation,)	
)	
Plaintiff,)	
vs.)	MEMORANDUM
)	AND ORDER
PONY EXPRESS GREENHOUSE,)	
L.L.C., a Nebraska limited liability)	
company; and PLAINS PRODUCE,)	
L.L.C., a Nebraska limited liability)	
company,)	
)	
Defendants.)	

This matter is before the Court upon the report and recommendation of the United States Bankruptcy Judge, who recommends that this adversary proceeding be withdrawn and the case returned to the United States District Court for the District of Nebraska. (Filing 13.) No objection to the report and recommendation has been filed by any party. I will adopt the report and recommendation.

Accordingly,

IT IS ORDERED that:

1. Pursuant to the report and recommendation (filing 13) of the United States Bankruptcy Judge, referral of this matter to the Bankruptcy Court is withdrawn and this action shall proceed in United States District Court without the party in bankruptcy (Plains Produce, L.L.C), which has been dismissed from the action.

2. The remaining defendant (Pony Express Greenhouse, L.L.C.) shall have ten (10) days from today's date to answer or otherwise respond to the plaintiff's complaint.

3. This matter is referred to Magistrate Judge Piester for further progression, as required.

DATED: April 26, 2005.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge